



# CITY OF HOUSTON

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**TO:** Urban Subcommittee

**FROM:** Robert M. Litke, Director

**DATE:** April 8, 2005

**SUBJECT:** Urban Core Issue Paper

Major revisions to Chapter 42 (subdivision ordinance) were adopted by city council in March of 1999. The basic standards that had governed subdivision rules and regulations and, therefore, the standards of development were suburban in nature: low density, large lots, deep front setbacks, looping streets, culs de sac and sprawl.

A set of urban area planning standards was created in 1999 to differentiate between suburban and urban areas. The urban area was defined as inside Loop 610. Everything else was suburban. Higher density was facilitated in the urban area through a variety of adjusted standards dealing with setbacks, open space requirements, smaller minimum lots sizes, and lot coverage limitations. A limitation on single family density has been set at 27 units per acre. There is no limitation on the number of multi-family units per acre.

Provisions were included to enable other areas to be declared "urban" if they met certain characteristics. To date, no changes have been made in area designations. But the fact is that areas are changing to meet the demands of the market. Demographic changes are driving changes in life styles in urban and suburban areas. Developers in suburban areas are experimenting successfully with urban type developments. This can be readily seen in the Woodlands, which comes within the Houston area of Extra Territorial Jurisdiction where our suburban platting rules apply.

The demand for urban living is ratcheting up land prices, making it harder and harder for developers to make the economics work, especially as it applies to single family housing in the urban area where density is limited to 27 units per acre. In some neighborhoods this is undesirable, but in others it could go even higher. However, chapter 42 is not structured to apply density limitations on a neighborhood basis. Either the urban rules apply or the suburban, we don't have an alternative and we need one.

The real impact of light rail in Houston has not been felt, but the first place we will recognize its impact is in Midtown where there still remains considerable development opportunity within easy walking distance of Main Street rail stations. Rail is changing expectations, land use patterns and prices but it

is still too early to know what these changes may be. Is there a way to channel the benefits and potential negative impacts of light rail—and not just along Main Street, but in all the future areas that light rail is assumed to be extended into? The answer is yes.

Attached is a copy of a presentation made to the Planning Commission by Guy Hagstette, the Mayor's Special Assistant for Urban Design, describing a concept for transit corridor planning. This approach can open the way towards neighborhood level planning and development regulations that respond to different needs and expectations, moving us away from the present one size fits all regulatory regime but not towards a land use based zoning type concept. The chair of the Planning Commission wants the Urban Core committee to take the lead in considering this transit corridor concept and exploring it thoroughly with the community.

RML/tg

attachment: Planning Commission Presentation – Guy Hagstette  
1996 Chapter 42 Issue Paper

## **BRIEFING TO THE PLANNING COMMISSION**

### **Transit Corridors Planning**

March 10, 2005

Guy Hagstette

Dr. Lewis and members of the Planning Commission, thank you for taking time from your busy schedule to allow me to speak.

I would like to brief you on the Transit Corridors Planning concept, which could represent a logical next step for planning and development policy in Houston. It is based upon extensive work of the Urban Land Institute several years ago to identify a public-private sector approach to encourage high-quality urban development in the central city. The ULI's process involved extensive input from interested developers and community representatives with a focus on the Main Street Corridor. Over the past several years, others in the community, including members of this commission, also have expressed their opinions about the Area Plan concept. As a result, Transit Corridors Planning applies the idea in a targeted fashion to address specific issues.

### **THE BASIS FOR TRANSIT CORRIDORS PLANNING**

Transit Corridors Planning targets an emerging, demographically-based desire for urban living. This market trend is very evident in last year's Houston Area Survey, which found a greatly increased desire among all in the region to live in the city. Many simply want to live in a single family home in a traditional central city neighborhood, but others now want to live in an urban setting – market research for downtown and Midtown alone places this number at about 80,000 households overall and over 16,000 market-rate units. Our current policies are not designed to support the full range of development demanded by this market. As a result, developers must request variances, investors face uncertainty, and residents are disappointed by the lack of cohesiveness in their urban neighborhoods.

In essence, Transit Corridors Planning seeks to address urban development in a coordinated fashion that reflects different needs and desires in different locations: in other words, the opposite of a one size fits all approach that is effectively mandated by today's existing rules. The concept recognizes the complex conditions in the central city where more coordination and forethought are required to balance market forces, development and quality of life issues, especially in those areas where dense development is occurring near established residential areas.

Based on the experience of other cities, the introduction of high-capacity transit in the form of light rail or some other technology will only increase the demand for urban living and speed up the pace of change. We are beginning to see this along the Main Street Corridor even while supportive development policies that could help us achieve a generally desired urban environment are lacking. As high-capacity transit is extended into other areas of the central city and if effective policies are put in place, the market can respond with additional urban development that can be balanced with the needs of nearby established neighborhoods.

## **SPECIFICS OF THE PROPOSAL**

So how does Transit Corridors Planning work? First, the proposal is intended to apply only to high capacity corridors being implemented by METRO, presumably in the form of light rail. It is in these areas that new development pressures will be strongest.

There are three basic elements:

- First, planning frameworks for each corridor would establish general development goals; public infrastructure needs reflecting, pedestrian, urban street and transit patterns; and enhanced access to new transit service. These frameworks would serve as one starting point for necessary public policy decisions. The planning frameworks would be established by area stakeholders with appropriate involvement of city agencies.
- Second, the proposal contemplates area-specific modifications to regulations and ordinances already on the books to support the kind of development that each planning framework would contemplate. The intent is to enable new development to better reflect the conditions, needs, desires and expectations of stakeholders in the area.
- Third, performance standards, as distinct from detailed rules, would help mitigate the impact of new development in residential areas affected by the transit improvements in the corridor. These standards would apply in established residential areas and would not dictate land use.

Finally and of great importance, the concept would require demonstrable community input, public hearings before the Planning Commission and final adoption of a specific corridor ordinance by city council.

In addition to the core elements just described, two companion efforts that are essentially outside the scope of an ordinance but go directly to city policy issues are needed to bring this all together:

- Our current public street engineering standards did not contemplate the type of urban environments now desired by the market. A parallel effort with the Department of Public Works & Engineering will be necessary to achieve desired options and flexibility without sacrificing basic engineering requirements. We have had some early discussions with Mike Marcotte and his staff and this process will have to expand if we are to move forward with the concept...
- The community of interest, in the form of many neighborhood leaders and developers, has indicated a readiness to engage with the City on this effort. This bodes well for the new committee structure that the commission is setting up. It is our hope that the chair will refer this proposal to begin the process of eliciting stakeholder input leading to the development of a policy framework around which an appropriate ordinance can be drafted.

## **CONCERNS TO BE ADDRESSED**

There will undoubtedly be a large number of concerns that will need to be addressed, and I want to highlight only a few:

- How broadly should transit corridors be defined? Should modified development regulations be restricted to areas within a transit “zone of influence?” Could these areas be only a few blocks

wide in some cases and perhaps a ½ mile wide in others, and how would these areas be determined?

- How do we ensure that an area's true stakeholders are involved in and ready to prepare a plan? In our proposed policy paper, we suggest several options, but these will require considerable public discussion. Under any circumstance, there should be a process that demonstrates that there is broad-based stakeholder involvement before planning begins.
- How do we ensure that we do not create a maze of differing and confusing sub-regulations and ordinances? One thought is a "tool kit" that communities would use. But the issues will become sharpened as we engage in public discussion with stakeholders.

Finally, is this a step toward zoning? The answer is an emphatic no. The proposal does not seek to specify land uses – which is the basis for zoning. It seeks to balance new urban development with the needs of established residential neighborhoods. The market is telling us that Houstonians want both. This is not zoning.

This also is not a means to prevent growth and development in the central city; it is a proposal that will help to shape it. It is a proposal to plan, not zone.

The proposal is based on an urban development pattern that emphasizes pedestrian access in addition to access by the automobile. Transit corridor development can achieve a rich mixture of uses in close proximity to one another because it anticipates convenient walking trips to those uses and to transit. High capacity transit needs and engenders density, and this proposal can work to mitigate the impact of high density on adjacent neighborhoods as well. Finally, our public streets and sidewalks are critical components of the concept. They must be drivable, walk able, safe and comfortable. When they carry high capacity transit, they also must be accessible by foot from adjacent development, and engaging for the pedestrian in a way that enriches the public environment and public life.

Private development plays a big role in shaping our streets, especially as related to setbacks, curb cuts, sidewalks and street trees. The relationship between Public Street and adjacent private development is a critical aspect of the modification of regulations inherent in the Transit Corridors Planning concept.

We are not proposing to prescribe how private property can be used, this proposal starts where the public's interest is strongest – the urban street. Transit Corridors Planning will use our publicly-owned streets and sidewalks as the starting point for urban development policies.

In the same fashion, performance standards will be blind to land use, and will simply seek to mitigate impacts of new types of development on existing residential properties so that a rich mix of land uses and development types can more peacefully coexist.

I want to end with a simple fact to consider. There is a huge amount of publicly-owned environment that has not been optimized in many areas of the central city to help shape public policy and private investment. To help bring the scope of this issue in focus, downtown's urban street grid allocates 41% of overall area to the public street right of way, and the street grids in other urban neighborhoods allocate similar amounts to the public environment. And that public right of way defines the experience of our city as we go about our daily lives.

In the same fashion, new transit lines are going to redefine areas of the central city and it can be done haphazardly or thoughtfully. We can let the chips fall where they may. Or through this proposal, we can opt for a rich combination of denser transit oriented development along with stable, established neighborhoods that will symbolize our city's embrace of the rich diversity of residential lifestyles that the market wants.

Houston cannot ignore this emerging demand for both urban lifestyles on the one hand and stable residential neighborhoods on the other. We must leverage our most significant public asset – our urban streets – and our most significant community asset – our neighborhoods – if we intend to attract and retain the full spectrum of people who want to call Houston home.